

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA**

Timothy Wilder,

Plaintiff,

vs.

T.J. Joye, Florence County Sheriff, Deputy  
Tyrone Porter, Deputy Brooks Urquhart,  
Deputy Paul Morrison, Darral Cox, and  
Hunter Cox,

Defendants.

) C/A NO.: 22-av-99999

)

) **NOTICE OF REMOVAL**

) **28 U.S.C. § 1441, 1446**

) **ON BEHALF OF DEFENDANTS T.J.**

) **JOYE, FLORENCE COUNTY**

) **SHERIFF, DEPUTY TYRONE**

) **PORTER, AND DEPUTY BROOKS**

) **URQUHART**

)

)

)

)

**TO: PLAINTIFF NAMED ABOVE AND TUCKER S. PLAYER, ESQUIRE, HIS  
ATTORNEY OF RECORD**

These Defendants, T.J. Joye, Florence County Sheriff, Deputy Tyrone Porter, and Deputy Brooks Urquhart, by and through their undersigned attorney, hereby give notice of the removal of this action from the Court of Common Pleas, Florence County, South Carolina, to the United States District Court for the District of South Carolina, Florence Division. The grounds for removal are as follows:

1. Upon information and belief, the Summons and Amended Complaint were filed in the Florence County Court of Common Pleas on or about November 15, 2022.

2. Upon information and belief, the Summons and Amended Complaint were served upon these Defendants on or about December 19, 2022.

3. This action is now pending in Florence County Court of Common Pleas, designated as Civil Action No. 2022-CP-21-01746, and the time within which these Defendants are required by the laws of South Carolina to answer or otherwise plead has not expired.

4. Plaintiff has alleged that Defendants denied Plaintiff's First, Fourth, Eighth, and Fourteenth Amendment rights under the Constitution of the United States under 42 U.S.C § 1983 and/or were deliberately indifferent to such rights. (See Amended Complaint). Accordingly, this civil action is removable under 28 U.S.C. § 1441. This court has jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1343 because this case involves a federal question.

5. This Court has supplemental jurisdiction over any state court claims asserted by the Plaintiff in the Complaint pursuant to 28 U.S.C. § 1367.

6. The Florence Division is the proper venue inasmuch as the events in controversy took place within the Florence Division.

7. These Defendants have attached to this Notice and filed herewith copies of pleadings served upon them in this action as required by 28 U.S.C § 1446 (A). (See Exhibit A).

8. These Defendants are providing Plaintiff's counsel and the Clerk of Florence County Court of Common Pleas in South Carolina written notice of the removal of this action as required by 28 U.S.C. § 1146 (D).

9. No other Defendants have appeared or answered.

10. By removing this action under federal question jurisdiction, no named Defendant waives any objection or defense to any cause of action, stated or implied herein, state or federal, including as to personal jurisdiction, service of process, failure to state a cause of action, appropriateness of party, and/or any other applicable objections or defenses hereto.

WHEREFORE, these Petitioners pray that the above-entitled case be removed to this, the United States District Court for the District of South Carolina, Florence Division.

*(Signature block on next page)*

Lisa A. Thomas, Fed ID #9950

*Attorney for Defendants T.J. Joye, Florence County  
Sheriff, Deputy Tyrone Porter, and Deputy Brooks  
Urquhart*

s/ Lisa A. Thomas

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December 27, 2022

Myrtle Beach, South Carolina